IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 4389 of 1998

Between:

1 Md. Riazuddin, S/o Md. Rabuddin,
H.No. 2-7-276, Mukarampura,
Karimnagar District.
2 M/s Md. Kamaluddin , S/o Md. Rabiuddin,
H.No. 2-7-276, Mukarampura,
Karimnagar District.

..... PETITIONERS

AND

1 The Superintending Engineer,
Panchayath Raj Circle, Adilabad District.
2 The Superintending Engineer,
Panchayath Raj Circle, Karimnagar.
3 The Superintending Engineer,
Irrigation Circle, Nirmal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents as arbitrary, illegal, and violative of Article 14 & 19(1)(g) of the Constitution of India in insisting the petitioner for depositing the E.M.D. in the shape of National Saving Certificate or postal Term Deposit Scheme at the time of sale of tender schedules to the petitioners and consequently direct the respondents to accept the E.M.D. in the shape of Demand Draft and not to insist for deposit of E.M.D. the time of Tender Schedule.

Counsel for the Petitioner:MR.C.H.SATISH KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL

DEV.

The Court made the following :

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THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 4389 of 1998

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ORDER:

This writ petition is filed seeking a direction to the respondents to issue tender schedules to the petitioners without insisting upon E.M.D by way of National Saving Certificate or Postal Term Deposit Scheme.

While admitting this writ petition, this Court, on 17.2.1998, granted interim order in WPMP No.5263 of 1998 directing the respondents to issue tender schedules without insisting upon the deposit of E.M.D. by the petitioners.

In view of the aforesaid interim order passed by this Court, no further orders are required to be passed in this writ petition.

The writ petition is accordingly disposed of. No costs.

8.12.2004

Gsn.

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To

1 The Superintending Engineer,
Panchayath Raj Circle, Adilabad District.
2 The Superintending Engineer,
Panchayath Raj Circle, Karimnagar.
3 The Superintending Engineer,
Irrigation Circle, Nirmal.

4. Two CCs to G.P. for Panchayat Raj and Rural Development, A.P.High

Court Buildings, Hyderabad (OUT)

5. Two CD copies.

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THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 4389 of 1998

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8.12.2004